

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL ACTION NO. 5:13-CR-00080-KDB-SCR-2**

UNITED STATES OF AMERICA,

v.

WINCY JOSEPH,

Defendant.

ORDER

THIS MATTER is before the Court on Defendant’s Motion to Terminate Supervised Release. (Doc. No. 137) (“Motion”).

On May 15, 2014, Defendant was found guilty by a jury of one count of aiding and abetting a bank robbery by force and one count of aiding and abetting in a crime of violence, in violation of 18 U.S.C. §§ 2113(a), 2113(d) and 924(c). Defendant was sentenced to a total of 135 months of imprisonment and 5 years of supervised release.

Title 18 U.S.C. § 3583(e) states that a court may “terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice[.]” 18 U.S.C. § 3583(e)(1).

In support of his Motion, Defendant states that he has complied with all terms and conditions of his supervised release. Defendant further states that he is working diligently at Queen City Mitsubishi five to six days a week and is proud to be spending time as a devoted parent to his five children. Although commendable, Defendant has only been on supervised release for 19 months.

Furthermore, the W.D.N.C. Probation Office does not submit requests for early termination until the supervisee has completed at least two-thirds of his or her term of supervision. Accordingly, the Court will deny Defendant's motion, but will do so without prejudice to file again once Defendant has completed more of his supervised release term.

IT IS THEREFORE ORDERED that Defendant's Motion to Terminate Supervised Release, (Doc. No. 137), is **DENIED** without prejudice. Defendant's term of supervised release shall continue as originally sentenced. The Clerk is directed to serve a copy of this Order on Defendant and the United States Probation Office.

SO ORDERED.

Signed: August 21, 2024

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

